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From GEORGE ARMSTRONG, Rome, January 22

A confessed Belgian spy. who claimed to be working for the Soviet Union, has had espionage charges against him dropped by an investigating magistrate in Naples even though he was caught: last July in possession of a large box of secret documents he had stolen from the headquarters of the United States Sixth Fleet near Naples.

He will now face trial on a simple charge of theft and being in the unauthorised possession of a pistol.

The magistrate, Signor Giothat the espionage charge was being dropped against Robert Eugene de Bruyeker, aged 28, because "the illicit acts were not committed against the Italian Republic

but against a foreign State, as the place from which the documents were taken is a NATO support office.'

Though the US by the arrested Marines in the NATO base, he was, as is customary, handed over to teh Italian authorities for prosecution.

De Bruyeker entered the naval base at Agnano, near

Naples, in a coach which was taking American sailors, also in civilian clothes, back from their town leave. He entered the offices of the Naval Investigative Service during the lunch break and filled a box with documents which the Italian police said could cause "grave damage" to NATO operations.

The, documents concerned similar offices in Athens and in Rome and included mans.

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security deciphering and manuals and information about ship movements and special agents.

The box of stolen documents was too heavy to carry under one arm, and De Bruyeker heard the armoured door of the security office slam ohut behind him as he left, leaving his overnight travelling case inside.

He hid in a laboratory for 7 nearly 10 hours, waiting for the office door to be automatically reopened again. It was when he was retrieving his case that he was caught by an American marine.

The contents of his casa included a steel hammer, gloves, a file, his passport, doothpaste and toothbrush, a copy of Playboy magazine, and nine photographs of transvestites - ****